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July 29, 2005

Via E-Filing

The Honorable Gregory M. Sleet
United States District Court for the District of Delaware
844 King Street, Lockbox 19
Wilmington, DE 19801

Re: **Davis International LLC, et al. v. New Start Group Corp., et al.**, Case
Nos. 04-1482 & 04-1483 (GMS)

Dear Judge Sleet:

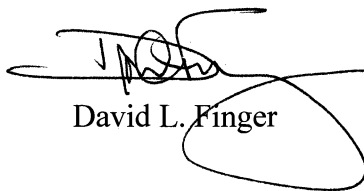
I am writing to update the Court about a material development that has occurred since the parties briefed the motion to dismiss on estoppel grounds.

As Your Honor may recall, plaintiffs have taken the position that Russia is an inadequate forum because of threats made on the lives by their principals and key witnesses, Joseph Traum and Jalol Khaidarov, by Vyacheslav Ivankov (a/k/a "Yaponchik"), a leader in the Russian-American mafia and agent of certain Defendants. Mr. Ivankov had been transferred from the United States after he served his prison term for extortion here to Russia, where he was held in custody for murder charges.

As Plaintiffs predicted, Mr. Ivankov has been freed from prison, apparently due to the understandable unwillingness of witnesses to testify against him. See "*Reputed Mob Boss Acquitted In Moscow*," LOS ANGELES TIMES, July 19, 2005 (attached as Exhibit "1"); "*Jury Acquits Yaponchik of Murder*," THE MOSCOW TIMES, July 19, 2005 (attached as Exhibit "2").

In light of Mr. Ivankov's threats and release from prison, there are no circumstances by which Plaintiffs' key witnesses will go to Russia.

Respectfully,



David L. Finger

The Hon. Gregory M. Sleet
July 28, 2005
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cc: Clerk of the Court (via e-filing, w/enc.)
Charles M. Oberly, III, Esq. (via e-filing, w/enc.)
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